

EXHIBIT D

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JODI ROUVIERE and
ANDRE ROUVIERE,

Plaintiffs,

v.

DEPUY ORTHOPAEDICS, INC. n/k/a
MEDICAL DEVICE BUSINESS
SERVICES, INC. and HOWMEDICA
OSTEONICS CORPORATION
d/b/a STRYKER ORTHOPAEDICS,

Defendants.

Case No. 1:18-cv-04814-LJL-SDA

DECLARATION OF BILLY DAVIS, ESQ.

I, Billy Davis, under penalty of perjury declare as follows:

1. I am an attorney licensed to practice in the State of Texas. I am a Partner with the law firm Harrison Davis Steakley Morrison Jones, P.C. (“Harrison Davis”).

2. I have represented clients with claims against DePuy Orthopaedics, Inc. in *IN RE: DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation*, 3:11-md-02244-K (the “Pinnacle MDL”), since 2011.

3. The case *Rowe et al v. Johnson & Johnson, Inc. et al*, 3:12-cv-4354-K, is one such case. I represented Byron and Melanie Rowe in this matter against DePuy.

4. Beginning in early 2019, I personally worked with counsel at Barnes & Thornburg to resolve claims asserted by my clients in the Pinnacle MDL. To my knowledge, the only Harrison Davis lawyers that ever engaged in resolution discussions with DePuy regarding Pinnacle claims were myself and Zollie Steakley.

5. In early 2019, we confidentially agreed to terms of resolution of pending Harrison Davis Pinnacle claims, including the claims of Byron and Melanie Rowe.

6. On November 7, 2019, we executed a Master Settlement Agreement with DePuy regarding the same, pursuant to which we recommended the agreed terms of settlement to each of our Pinnacle clients, including Byron and Melanie Rowe.

7. While Byron and Melanie Rowe have not yet returned a release to DePuy, they have not in any way repudiated the settlement. They are awaiting resolution of medical lien claims against the settlement.

8. Given the status of the settlement and prior communications with my clients Byron and Melanie Rowe, I have no reason to believe the Rows will not execute the release pursuant to the MSA signed in November 2019.


9. I currently have no factual reason to believe there will be future litigation regarding Pinnacle claims between Harrison Davis and DePuy.

10. I have no personal knowledge of any continuing relationship between DePuy and the Dana Medlin, Ph.D.

11. I have no personal knowledge of any role that Dana Medlin, Ph.D. has had in the Rowe case since his deposition in August 2014.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 10, 2020.



Billy Davis, Esq.